



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman



Thomas J. Stosur
Director

STAFF REPORT

September 2, 2010

REQUEST: Closing Air-Rights of Madison Street and Forrest Street

RECOMMENDATION: Approval, subject to the requirements of the Department of Public Works

STAFF: Kenneth Hranicky

PETITIONERS: Maryland Department of General Services on behalf of the Department of Public Safety

OWNER: Mayor and City Council of Baltimore

SITE/GENERAL AREA

Site Conditions: The City right-of-way affected by the closing of the air rights is located above a portion of 700 block of Forrest Street and the 500 block of E. Madison Street. The properties adjacent to or abutting the air-rights closings are zoned M-2-3.

General Area: The site is located in the Penn-Fallsway neighborhood. This area is characterized by institutional uses.

HISTORY

The Planning commission approved the closing of Graves Street, Frey's alley and a 4 foot alley, in connection with its proposed expansion of the Baltimore City Prison, on 27 May, 2007.

CONFORMITY TO PLANS

This proposed air rights street closing for the Department of Public Safety is in conformance with the Baltimore City Comprehensive Master Plan with respect to that addresses the City's Comprehensive Master Plan's Live Goal #1, Objective #3: Maintain and create safe, clean & healthy neighborhoods.

ANALYSIS

The proposed air rights closings are located along the 700 block of Forrest Street and the 500 block of E. Madison Street. The Department of Public Safety and Correctional Services (DPSCS), State of Maryland plans to construct a 180-bed new Youth Detention Center (YDC) facility in Baltimore City for housing juvenile detainees charged as adults. The Facility, to be used by the Division of Pre-trial Detention and Services (DPDS), will include housing,

administration, security, medical, mental health, education, food services, visiting, etc., for 180 juveniles. The 5-story building, plus lower level parking with approximately 95 parking spaces, contains approximately 229,000 sq. ft, and will occupy the entire street block bounded by Madison Street on the north, Forrest Street on the east, Monument Street on the south and (former) Graves Street on the west. Former Graves Street, acquired by the State, will be developed as part of the project to provide space for equipment (emergency generators, Baltimore Gas & Electric Company equipment, etc.) at the lower level and service access for loading docks and traffic at the first level.

The Housing Units will include six outdoor recreation areas; each is recessed into the face of the building with one side open to the exterior, screened from public view with a stainless steel mesh. The recreation areas project from the face of the building similar to bay windows, allowing additional light and ventilation. At the 2nd level Housing Units, the recreation areas face the Graves Street service area; the recreation areas serving the 4th level housing units face both the Graves Street area and Forrest Street, and are open at the top (screened with security mesh) as well as on the outside face. The projecting bays of the recreation areas are 39'-4" wide and extend 4'-8" from the building face. Only the 4th level recreation areas facing Forrest Street project over public space, as the Graves Street service area is state property. Because of the slope of the site, the projections along Forrest Street range from approximately 23'-6" to 28' above the public sidewalk.

At the northeast corner of the building, the 3rd level projects over the Madison Street sidewalk, just west of the intersection with Forrest Street. This triangular projection over the public space allows the building to turn the corner at the upper levels in a 90-degree angle, accommodating the regular geometry of the housing units on the trapezoidal site. The maximum projection of the triangle is approximately 9' from the face of the building. The projection along Madison Street varies from 23'-6" to 25'-6" above the public sidewalk.

It is staff's opinion that the specific air rights portion of Forrest Street and Madison Street can be closed without adversely affecting the surface use of either street. Therefore, it can be closed, declared surplus right-of-way, and be disposed of.

Staff notified the Jonestown Planning Council, Inc., the East Baltimore Community Corporation, Inc., and Change4Real of this Planning Commission action.

Thomas J. Stosur
Director